

# **Bond Case Briefs**

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## **BALLOT INITIATIVES - OHIO**

### **State ex rel. Carrier v. Hilliard City Council**

**Supreme Court of Ohio - January 19, 2016 - N.E.3d - 2016 WL 259410 - 2016 -Ohio- 155**

Petitioners sought writ of mandamus to compel city council to approve an ordinance placing a proposed city-charter amendment on the ballot that would, a) subject all zoning ordinances to referendum, and b) prohibit the creation of tax increment financing incentive districts for dwelling unit improvements.

The Supreme Court of Ohio held that:

- Laches did not bar action, and
- Initiative petition to amend city charter did not violate statute requiring that each part-petition contain a full and correct copy of the title and text of the proposed measure.

Laches did not bar action in which petitioners sought writ of mandamus to compel city council to approve an ordinance placing a proposed city-charter amendment on the ballot, although delay resulted in case becoming subject to an expedited election briefing schedule, where eight days elapsed between the city council's vote rejecting an ordinance to place the proposed charter amendment on the ballot and, to have avoided having the expedited schedule apply, suit would have needed to be filed within 24 hours of the city council's decision.

Initiative petition to amend city charter did not violate statute requiring that each part-petition contain a full and correct copy of the title and text of the proposed measure, where amendment consisted of merely two provisions, the text of which comprised four brief paragraphs, and the entire amendment, including explanatory captions, fit easily on a single page, and, thus, there was no risk that the captioning format would interfere with the petition's ability to fairly and substantially present the issue or mislead electors.